PHILIP MORRIS INCORPORATED

LAW DEPARTMENT MEMORANDUM

RICHMOND, VIRGINIA

TO: R. Seligman DATE: 17 May 1978

FROM: A. Palmer, Jr.

SUBJECT: PM 745--IMPROVED PROCESS FOR EXPANDING TOBACCO

Supplementing Dr. Inskeep's recent foreign filing memorandum in which he noted that this lower-pressure liquid CO_2 case requires special attention, my impression is that filing in 43 countries (as was done for the earlier case now in interference with Airco) would be excessive. Expansion is not as important in many places as it is here because improved filling power offers less advantage economically where tobacco is cheap and plentiful. Also, the level of technical skill needed to operate such a process would limit its use in less developed countries. And, finally, there seems to be little reason to file in obscure places having an unfamiliar judicial system and only limited chances of enforcing a patent.

Therefore, using the previous list of 43 countries as a check, I'd recommend not filing in any of the following places: Bolivia, Bulgaria, Dominican Republic, Ecuador, Haiti, Indonesia, Israel, Lebanon, Liberia, Morocco, Panama, Paraguay, Peru, Taiwan, Uruguay, and Yugoslavia. (I also feel that we probably should not file in Greece, Guatemala, India, Iran, Italy, Nigeria, Norway, Pakistan, Philippines, Spain, Sweden, and USSR.)

In addition to Australia, West Germany and Switzerland, which are clear choices, it seems to me that the major prospects for filing are:

A	B	C
Japan	Netherlands	Argentina
Canada	Great Britain	Venezuela
	France	Mexico
		New Zealand

I consider A and B groups desirable, C questionable. Within each group, the higher listed seem more important. Of the special situations likely to require careful consideration, attention should be given particularly to Brazil (where our earlier PM-620 case was not filed),

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also Argentina, Finland, Mexico, Nigeria, Philippines and Venezuela.

Finally, to make a specific proposal for discussion and comments, we recommend filing only in Australia, Canada, France, Great Britain, West Germany, Japan, Netherlands, and Switzerland.

In view of the Convention deadline of August 8, we will initiate filing on this basis, subject to revision next month and possibly to some extent as late as July 6 when we expect to have a meeting of the foreign filing group.

ceh

cc: P. Clarke
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